

Date: 03/29/99
Revised: 2/22/2009

PUBLIC REQUEST UNIT

Record, Data Center, Public Request Section

4.862.8300 Public Disclosure Request

- .8300-1 A Public Disclosure Request is a request made by the general public under R.C.W. 42.56 to view or copy a specific public record. The request may be made in person at the front counter, over the telephone to the public disclosure line, spd.pdr@seattle.gov email, or by fax to Public Request Unit.
- .8300-2 The Public Request Unit is responsible for assigning the duty of processing public disclosure requests. The requests are assigned to the Manager or Administrative Spec III of the Public Request Unit.
- .8300-3 Public Disclosure requests are retained in the Public Request Unit for two years. They are filed alphabetically in file cabinets located in the office of the unit secretary.

THIS COPY WAS PREPARED BY THE SEATTLE
POLICE DEPARTMENT IN RESPONSE TO YOUR
PUBLIC DISCLOSURE REQUEST. ANY DELE
TIONS MADE ARE PURSUANT TO CH. 42.56 OF
THE R.C.W. OR OTHER APPLICABLE LAW.

TO: Gmffey
DATE: 2/22/09 SERIAL #: 6180

PUBLIC REQUEST UNIT
Record, Data Center, Public Request Section

4.862.8301 Legal Responsibilities

- .8301-1 The Public Disclosure Act (R.C.W. 42.56.520) requires a "prompt" response by an agency.
- .8301-2 The response is required within five (5) business days or the agency can be subjected to finest up to a maximum of \$100 per day.
- .8301-3 The "prompt" response can be in the form of one of the following:
1. The requested public record is released.
 2. They are denied access to the public record by quoting the appropriate RCW that protects release of the record (all or in part).
 3. They are given notification in writing of receipt of the request and an estimated time frame for processing the request (Referred to hereafter as a "five day letter" - see Exhibit 8301-A).
 4. We are asking for clarification of their request.
- .8301-4 When it is necessary to send a "five day letter", the request can be put out for a maximum of three weeks for completion.
- .8301-5 When deletions (redactions) are made to the record, a reason or R.C.W. must be quoted as to why the record is being withheld. (See Exhibit .8304-H).
- .8301-6 When deletions (redactions) are made to the record, the individual must be given the opportunity to appeal the decision by writing to the office of the Chief of Police.

PUBLIC REQUEST UNIT
Record, Data Center, Public Request Section

4.862.8302 Logging Procedures for Public Disclosure Requests

- .8302-1 The individual assigned to the task of processing public disclosure requests is also responsible for ensuring that all requests are properly logged in and out of the legal request log.
- .8302-2 The legal request log is currently maintained on the hard drive of the PC in Access as Legal Request Log.
- .8302-3 Each request is to be logged in as received. The log includes information such as date received, type of request, cause or claim number, request subject, requestor, item requested, received by, assigned to, resolved by, disposition, reason, comments field, date five day letter was sent, date extension letter was sent, date due, date completed, date refiled, date appealed, appear hearing date and appeal discision. (See Exhibit 8302-A)
- .8302-4 New requests (whether taken at the counter, over the phone, email or by mail) are placed in the black tray located on the bookshelf in PRU. Requests are removed from this tray, logged in and they remain with the person assigned until completed when they are sent to file.

PUBLIC REQUEST UNIT

Records, Data Center, Public Request Section

4.862.8304

PROCESSING A REQUEST FOR CALLS FOR SERVICE

- .8304-1 If the request is for a list of responses by the Police Department to a particular address, a calls for service report will be prepared.
- .8304-2 Log the request on the legal request log.
- .8304-3 Open the Spd.dpr@seattle.gov email.
- .8304-4 Send an email to Spd,911tapes with the listed information.
 - a. In the subject field type "PDR (Requestor, Name 08-123456)
 - b. In the message filed type "Please run a calls for service for"
 - c. Include the location, date and time.
 - d. Type your name and send the email.
 - e. Go to the sent items in groupwise and open the sent email. Print a copy of the sent email and attach it the original public disclosure request.
- .8304-5 Log the date and serial number on the checkoff sheet.

PUBLIC REQUEST UNIT
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4.862.8305 Processing a Request for an Incident

- .8305-1 A request may be made for one or more reports by incident number.
- .8305-2 Log the request on the legal request log.
- .8305-3 Inquire in RMS using PINQ and PARQ to determine if the number requested is valid and where to locate the report.
- .8305-4 Inquire in RMS using PCMQ to determine the status of the case. Using Table T-8305, determine whether or not a copy of the incident may be released at this time. If information must be requested from another unit, use form F-8305B.
- .8305-5 If a copy of the incident is to be released, make two copies of the incident report. One copy is to remain "clean" and one copy on which to make necessary redactions. Refer to SOP .8313 for copying procedures.
- .8305-6 Prepare appropriate letters once request has been completed. (Refer to Exhibit 8304-H and 8304-I).
- .8305-7 Log request as being completed with date and either MAILED or W/C.

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Records, Data Center, Public Request Section

4.862.8306 Processing a Request for a 911 tape

- .8306-1 A request may be made for a copy of a 911 call.
- .8306-2 Log the request on the legal request log.
- .8306-3 Inquire in CAD by incident number. Make a printout of corresponding information.
- .8306-4 Email a request for a copy of the call to Communications.
- .8306-5 When compact disc is received from Communications:
 - 1. Use Roxio to listen, redact and burn the compact disc for release. Make a copy for release and another copy for the file.
 - 2. If access to compact disc is being denied, place the copy of disc with denial letter in the file.
- .8306-6 Log request as being completed with date and either MAILED or W/C.

PUBLIC REQUEST UNIT

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4.862.8307 Processing a Request for All Information on Oneself

- .8307-1 A request may be made by an individual to inspect/copy all information that the Seattle Police Department maintains on them. This request must be accompanied by a copy of a pictured ID as release of certain information will be made in conjunction with R.C.W. 10.97 in addition to R.C.W. 42.56.
- .8307-2 Log the request on the legal request log.
- .8307-3 Inquire in RMS using NS and running name supplied on request.
- .8307-4 Print out corresponding responses from RMS. If multiple responses are received, make necessary corrections to each entry to reduce response to only one.
- .8307-5 Order case listed on printout. Using SOP .8305, determine which cases can be released and which must be denied.
- .8307-6 If criminal history information exists, conviction information only may be released. Complete necessary research for any missing dispositions before release is made.
- .8307-7 Make any necessary redactions to paperwork. Refer to SOP .8313 for copying procedures.
- .8307-8 Prepare appropriate letters once request has been completed. (Refer to Exhibit 8304-H and 8304-I).
- .8307-9 Log request as being completed with date and either MAILED or W/C.

RECORDS REQUEST UNIT

Records, Data Center, Public Request Section

4.862.8308 Incomplete Request Received

- .8308-1 A request may be received that is unclear as to what the requester is in search of or the request may be incomplete, missing information such as location, time frame or date of birth.
- .8308-2 Log the request on the legal request log.
- .8308-3 Notify the requester that additional information is required before the request can be processed. (Refer to Exhibit 8308-A) This will constitute a response within the five business day limit. When additional information is received, the request will be treated as a new request and a new time limit will begin.
- .8308-4 If additional information is never received, no further action is required on the part of the department.

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4.862.8309 No Record Found

- .8309-1 A request may be received that is asking for information that does not actually exist. The request may be for information that belongs to another agency or the individual may be just seeking information without being certain that it actually does exist.
- .8309-2 Log the request on the legal request log.
- .8309-3 Notify the requester that a search of the files was completed and no matching information was located. (Refer to Exhibit .8309-A). This type of response occurs most often when individuals are seeking conviction information on someone else.

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4.862.8310 Request for Number of Occurrences by Offense Type

- .8310-1 A request may be received that is asking for the number of occurrences at a particular location or area by crime type or offense type.
- .8310-2 Log the request on the legal request log.
- .8310-3 Inquire in RMS using ES. Enter the following information:
 - 1. Enter the date range being requested (in example 1/1/99 to 3/1/99 was used.
 - 2. Enter PIIN for Event Class (for Police Incident Module)
 - 3. In the next section you may request by
 - a. The precinct (N, S, E, or W)
 - b. The sector/beat (K1)
 - c. Reporting District
 - d. Census Track and Block (Used in example - 08100 & 212)
 - 4. Enter the offense type being requested. Use appropriate codes for RMS followed by %. In example, ASSLT% was used. By inquiring in this manner, you will receive all types of assaults. If only aggravated assaults are needed, you could use ASSLT-AGG%.
- .8310-4 Print out corresponding responses (refer to Exhibit 1510-C) or request mask if no record was found.
- .8310-5 Refer to SOP .8313 for copying procedures.
- .8310-6 Prepare appropriate letters once request has been completed. (Refer to Exhibit 8304-H and 8304-I).
- .8310-7 Log request as being completed with date and either MAILED or W/C.

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Records, Data Center, Public Request Section

4.862.8311 Request for Criminal History On An Individual Other Than Self

- .8311-1 A request may be received that is asking for all information that Seattle Police Department has on another individual or they may specifically ask for Criminal History information on another individual.
- .8311-2 Log the request on the legal request log.
- .8311-3 The Seattle Police Department's criminal rapsheet is not complete, therefore, we cannot release the rapsheet.
- .8311-4 Prepare a letter indicating to contact the Washington State Patrol and enclose a information form of WSP.
- .8311-5 Log request as being completed with date and either MAILED or W/C.

PUBLIC RECORDS UNIT

Records, Data Center, Public Request Section

4.862.8312 Request for Arrest Information for INS

- .8312-1 A request may be received from an individual or their attorney for certified copies of arrest information as requested by Immigration.
- .8312-2 Log the request on the legal request log as INS and not PDR.
- .8312-3 Per agreement with INS, we will supply all arrest information including non-conviction to INS in an envelope supplied by INS.
 - 1. The INS agent has an NCIC III and should provide enough information to locate the desired report.
 - a. Inquire in RMS using NS to locate the corresponding rap.
 - b. Determine whether arrest paperwork is on the floor or must be ordered from Imaging.
 - 1) If paperwork is in Imaging, complete the appropriate request form ordering the paperwork by M#, name and SIN.
 - 2) If paperwork is on the floor, pull report from M packet.
 - c. Once paperwork is retrieved, review to determine if report can be certified or not. We will make deletions for "do not disclose", juvenile information, and non-conviction information on persons not being investigated by INS. If any redactions are required, the report cannot be certified.
 - d. Make two copies of report. If report is to be certified, make copy on legal size paper.
 - e. Make redactions if appropriate.
 - f. Have the report certified by the Manager or the Acting Manager.
 - g. Refer to Exhibits 8312 A-D for example letters to requestor and to INS.

PUBLIC RECORDS UNIT

Records, Data Center, Public Request Section

4.862.8312

Request for Arrest Information for INS

- h. Send requestor original letter addressed to him/her, copy of any letter to INS and a copy of INS supporting paperwork if supplied.
 - i. Send INS original letter addressed to them, a copy of any letter sent to the requestor, a copy of INS supporting paperwork and copy of report requested.
 - j. Make a copy of all letters, supporting paperwork and reports for file.
2. If INS has not supplied enough information for you to locate the record they are requesting, prepare a letter to INS such as Exhibit 8312-C requesting additional information.

.8312-4

Log request as completed using date and either MAILED or W/C.

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4.862.8313 Procedures for Copying and Completing the Process

- .8313-1 When redactions have been completed and appropriate letters have been prepared, copies must be made of information that is released.
- .8313-2 If no redactions were necessary, stamp paperwork with appropriate stamp (either public disclosure stamp or regular dissemination stamp). Complete stamp using name, purpose, date and serial number if required.
- .8313-3 If redactions were made, make a new copy of paperwork first. This insures that the deleted material cannot be read. Place appropriate stamps on the new copy made. Complete the stamp using name, purpose, date and serial number if required.
- .8313-4 Make a copy of all letters sent to requester. Make a copy of material released and make a copy of public disclosure request form.
- .8313-5 Attach all file copies to original request form and file in Public disclosure file cabinets alphabetically by year.
- .8313-6 If request is to be mailed, place original letter with prepared copies in envelope and place in out-going mail slot in distribution area.
- .8313-7 If request is to be placed in will call, place original letter with prepared copies in envelope. Mark the amount due in the upper right hand corner of the copy of the request form. Wrap this form around the envelope. Staple form to envelope and place in the will call drawer alphabetically.

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4.862.8314 Requests for Copies of Accidents

- .8314-1 There will be occasions when a request is received for a copy of traffic accident either on the form at the counter or over the phone. The request is made for a copy by sin only and it is not determined to be an accident until initial research is completed.
- .8314-2 Log the request on the legal request log.
- .8314-3 Prepare a response to the request giving information on who is able to obtain the information and how to receive the information. Refer to SOP .8313 for copying procedures.
- .8314-4 Log request as being completed using date and either MAILED or W/C.

PUBLIC REQUEST UNIT

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4.862.8315 Requests from Suspects

- .8315-1 Requests may be received from individuals that are determined to be the suspect in the requested record. These requests can be received in person at the front counter, by mail or over the recorded phone line.
- .8315-2 If the request is received at the front counter:
- A. Inquire in RMS using PCMQ to determine the case status. (Refer to table T-8305). If case management indicates CBO, CU, ARR, RFVP, or SUM, complete letter (Exhibit 8315-A) with date and incident number. Make a copy of the letter and the request form. Return the original letter along with a copy of the request form and a copy of the discovery rules (Exhibit 8315-C) to the requester and inform them that they will not be able to receive a copy of this record at this time. Place the copy of the letter attached to the original request form in the public disclosure request tray located on the front counter.
 - B. If case management indicates INA, UNA, CU with NOF, or RFVP with NOF, the request can be placed in the public disclosure tray to be handled by the person assigned.
 - C. The person assigned to handle public disclosure requests will log the request in and out, indicating "front counter" in comment field.
- .8315-3 If the request is received by mail or over the recorded phone line, the person assigned to handle public disclosure requests will process according to .8315-2.

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4.862.8316 Computing Fees to be Charged

- .8316-1 In accordance with R.C.W. 42.56, we will charge 15 cents per page for a public disclose request for a document that can be released in it's entirety and is picked up by requester at the front counter. For requests of this type which are picked up in person, if the request is six pages or less, the fee will not be collected. Per SMC 5.12.060, it is City Policy to waive the collection of fees when the amount owed is under One Dollar (\$1).
- .8316-2 A request for a document which requires review and possible redactions, the fee will be \$0.75 for the first page and \$0.50 for each additional page if the request is picked up in person. If the document contains miscellaneous paperwork (other than incident report, followups or statements) the fee will be \$0.15 per page if there are less than five redactions per page. If the request is to be mailed, the fee is \$1.75 for the first page and \$0.50 for each additional page plus the appropriate postage.
- .8316-3 If the requested information is readily available and the requestor desires "same day service", the fee will be \$2.50 for the first page and \$1.25 for each additional page.
- .8316-4 A printout may be supplied to the requester in lieu of a copy of the original report. There is no charge for a printout.
- .8316-5 Refer to Exhibit 8316-6 for a breakdown of a sample report released and the fees charged.

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4.862.8317

Landlord Tenant Act

- .8317-1 In accordance with R.C.W. 59.18.075 (1) & (2), whenever the one of the following criteria are met, a copy of the report can be released to the landlord:
- a. If as a result of a search warrant, illegal drugs are seized from the rental property.
 - b. If the tenant is arrested for VUCSA.
 - c. If the tenant is arrested for assaulting another person on the rental property.
 - d. If the tenant is arrested for threatening another tenant with a firearm or other deadly weapon on the rental property or for some other unlawful use of a firearm or deadly weapon on the rental property.
- .8317-2 If none of the above criteria are met, the request will be treated as a regular public disclosure request and processed according to SOP .8305.
- .8317-3 Appropriate deletions will be made to anything released whenever a do not disclose is requested, a juvenile is involved or if 10.97 applies (non-conviction information on another individual).
- .8317-4 Appropriate fees will be charged in accordance with SOP .8316.

**MANAGER
PUBLIC REQUEST UNIT
Records, Data Center, Public Request Section**

4.862.1518.0 Logging Procedures for Legal Log in Access

- .1518-1 The Legal Request Log for the Seattle Police Department is maintained in Microsoft Access. Portions of the log are open to the entire department for viewing in order to locate specific records. A small group of people are given entry/modification capabilities with one person designated as administrator.
- .1518-2 To access the log, select START/Programs/Windows Explorer.
- A. Under My Computer, double click on Spdshare on Srv2 (S) – referred to as "S" drive.
 - B. On right side, double click on folder entitled "Legal Request Log".
 - C. On right side, double click on folder entitled "Admin"
 - D. To create a shortcut on desktop for future use, highlight "Legal Requests Log Entry". Do a right click with mouse for shortcut menu. Select Send and use arrow to display additional shortcut menu. Select "Desktop as shortcut".
 - E. Open Log from either desktop shortcut or Explorer.
- .1518-3 Log opens to Home Page with a "Stop Sign" for easy exit if this is not where you want to be. (See Exhibit 1518-A). There are five tabs with possible selections:
- A. Home
 - B. Legal Information Request – Used for new entries and modification of existing records.
 - C. Follow Up Items – Used when requests have to be forwarded to another unit to track timely responses.
 - D. Reports – Used to print out one of five pre-developed reports for statistical purposes.
 - E. Find a Request Record – Used strictly for inquiry purposes. This is the only tab available to an employee who does NOT have entry capabilities.
- .1518-4 Entry Procedures

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4.862.1518.0 Logging Procedures for Legal Log in Access

- A. Select Legal Information Request tab.
- B. Complete fields as follows:
 - 1. Date Received: Date request was received by the department.
 - 2. Type – Use drop down menu or type in appropriate code.
 - 3. Claim# or Cause# - Used for Claims Against the City or Court orders.
 - 4. Request Subject: The name of the individual who is the subject of the request (named on the report, subpoena, etc.) or location (address) of concern.
 - 5. Requestor: Name of person who signed request form, subpoena, letter etc. Do not use law firm or business name as requestor. That information is placed in the comments field.
 - 6. Request #: If an individual requests copies of three reports or three separate items, each item is entered separately but all three are given request #1. If an attorney makes a request for one report on an individual, two reports on another individual and one report on the third individual, you will log the request for one incident report for subject (1) under #1. You will log each request for the two reports for subject (2) with #2 for each report. The request for the third subject will be logged as #3 (one incident report) – see Exhibit 1518-B. This system is used to enable you to clear multiple requests at one time.
 - 7. Item Requested: Sin number, Calls for Service, CHRI, 911 tape, etc.
 - 8. Received By: Use drop down menu to select or type in appropriate code. (Please note: the tab will automatically repeat the information entered in "Received by" in the "Assigned to" field. You will need to manually change this information. This problem has been referred to ITS.)
 - 9. Assigned To: Use drop down menu to select or type in appropriate code.
 - 10. Disposition: Use drop down menu to select or type in appropriate code.

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4.862.1518.0 Logging Procedures for Legal Log in Access

11. Reason: Use drop down menu to select or type in appropriate code.
12. Comments: Open field for further clarification, listing of law firms, etc.
13. 5 Day Letter Sent: Enter the date that the 5 day letter was mailed.
14. Extension Letter: Enter the date that an extension letter was required because of lack of response from another unit or extenuating circumstances.
15. Due Date: This will automatically be filled in by system depending on the TYPE entered in box #2.
16. Date Completed: Enter the date that the request was completed.
17. Refiled/Not picked Up: Enter the date that a request was pulled from the Will Call drawer and returned to file because it was not picked up within the 30 day time frame. The drawer is cleaned out the first of each month.
18. Date Appealed: Date entered by Legal office when an appeal is received.
19. Appeal Hearing Date: Used by Legal office.
20. Appeal Disposition – Use drop down menu or type the appropriate code.

.1518-5 Duplication Procedure:

- A. On occasion, it is necessary to enter a duplicate record. An individual requests a copy of three incident reports. These will be logged as three separate requests.
 1. Once the first record is entered, hit "Add Record". Place your cursor in the date field. Hit <control><apostrophe>. This will enter the information that appeared in this field in the last record entered. Tab to the next field and repeat <Control><apostrophe>. When you get to the item requested field, replace

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4.862.1518.0 Logging Procedures for Legal Log in Access

the information from the last request with the new information from the next request.

2. Do not attempt to use the "Duplicate Record" button. It is not functioning properly at this time. (This problem has also been referred to ITS.)

.1518-6 Inquiry Procedures: (Two Methods)

- A. The first method of searching is by the requestor using the special field at the bottom. Click on the down arrow to open a view window of the log. Type the last name of the requestor. As you type, you can see the log attempting to find your entry. Once the entry is located, you can double click on the entry or if it is highlighted, hit enter.
- B. The second method is by City Claim or Cause number. These inquiries will only work for a court order entry or a claim against the city. It will not work for a public disclosure request, accident, etc.
- C. The third method is by using the "find button" on the toolbar (a set of binoculars).
 1. Place your cursor in the field for which you have information such as the Request subject, the item requested, person assigned to, requestor, etc. Any field can be inquired on.
 2. Once the field is selected, click on the binoculars.
 3. A box pops up for "find in field". Type in the information you are requesting on. It must be typed exactly as enter on original entry in order to find a match. There is no soundex.
 4. Check box for "Check in current field only".
 5. Click on "Find next entry."
 6. The record will be displayed behind the inquiry box. If this is not the correct record, click on find next again. Repeat this until the correct entry is located or no record was found.
 7. When search is completed, click on close.

.1518-7 Modification Procedures:

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4.862.1518.0 Logging Procedures for Legal Log in Access

- A. Once the correct record is located, make necessary modifications.
- B. To clear multiple records, (all requests #1), clear the first entry. Once all of the necessary fields have been completed, click on the "Clear All" button. This will clear all records that were entered on the same day by the same requestor with the same request button. It will tell you how many rows (records) it is clearing.
- C. Using the procedure in step B will not fill in the "Assigned to" field. You will need to do this manually. (This problem has been referred to ITS also.)

.1518-8 Running a Report:

- A. Select the type of report you wish to run:
 - 1. Open items.
 - 2. Overdue items.
 - 3. Requests by Type
 - 4. Un-timely requests
 - 5. Requested by .
- B. Depending on the report selected, choose person assigned or time frame.
- C. Click on Preview Report button.
- D. Once the report has been prepared, you can choose to print or simply close.

Seattle Police Department

Legal Bulletin



Date: 9/28/2001

Bulletin: B01-001

PUBLIC DISCLOSURE PROTOCOL

Most requests for Public Disclosure are received and processed by the Public Records Unit in the Records, Evidence & ID Section. However, when records are uniquely stored within other units of the Department, those requests may either come directly to that unit or be referred to them.

This Legal Bulletin is intended as a guideline for unit and section commanders¹ who do not already have an established protocol and guidance for handling Public Disclosure requests that they receive². Please refer to Seattle Police Department Manual Section 1.333 for the department policy on Public Disclosure requests. This protocol is not intended to be used in response to subpoenas or court ordered process for criminal or civil matters.

Public Disclosure Request Steps:

1. Citizens requesting access to public records shall be directed to the Public Records Unit, or to the Office of the Chief of Police, or to the specific unit for records that are uniquely stored within that unit of the Department. If the requested records are uniquely stored by another agency outside of the Department, refer the requestor to that particular agency (Example: a request for land use records would be referred to the Department of Construction and Land Use).
2. Records that are not confidential can be viewed or copied at the location of the unit where the records are maintained (for example: S.P.D. Manual, Training Bulletins, Directives and other Department publications). Routine Department publications are located in most Department units. The viewing and copying can be done at the Records Section or at the location where the request is initially made.
3. Records not requiring redaction can be copied by the unit and sent to the Records Section where a fee will be collected from the requestor according to a standard schedule. The unit processing the Public Disclosure request will be responsible for sending a response letter to the requestor. (Refer to Step 5 regarding response letters).
4. To ensure prompt documentation of a Public Disclosure request, a copy of the Public Disclosure request must be faxed to the S.P.D. Public Records Unit. Documentation of the action taken in response to the request should be attached.

¹ Lieutenants and above and civilian equivalents.

² Units/Sections such as Office of Professional Accountability, Internal Investigations, Human Resources and Communications already have established procedures for processing Public Disclosure Requests.

****NOTE** Prompt responses to Public Disclosure requests are required by law (RCW 42.17):**

When a unit receives a Public Disclosure request, the unit has **5 business days** (excluding weekends and holidays) from the date the request was stamped received by the Department to respond in writing to the requestor. For example: a Public Disclosure request is stamped received by the Chief's office on Tuesday July 03. Wednesday July 04 is a holiday; Thursday July 05 and Friday July 06 are business days. Saturday July 07 and Sunday July 08 are weekend days. The Public Disclosure response letter must be sent no later than Wednesday July 11 in order to be in compliance with the five-business day response requirement.

To ensure prompt response, Public Disclosure requests referred to specific unit commanders for response will be stamped in red ink "**Alert: Public Disclosure Request, Process Immediately**".

5. The five-day response letter must be mailed by the unit processing the Public Disclosure request. This letter shall inform the requestor of the following:
 - ◆ Who to contact to inspect the record.
 - ◆ The location to pick up records that are copied.
 - ◆ The fee for copies not requiring redaction is .15 cents per page (combined)³. For records requests of less than (7) seven pages, the fee may be waived.
 - ◆ Reasons for any redactions, if any, citing the appropriate statute. For redaction instructions and a list of permitted/required redaction, contact Edie Burke, Public Records Unit, at (206) 733-9315.
 - ◆ Whether more than five business days are necessary to assemble and copy the records.
6. The Four basic response letter examples are as follows:⁴
 - ◆ No Fee Letter (for 6 copies or less, fees may be waived).
 - ◆ Pick-up Letter with fee required (for 7 copies or more, .15 cents per page fee).
 - ◆ Standard Redaction Checklist Letter with explanation of redactions.
 - ◆ Buy-Time Letter requesting additional time to research and process records.
7. A copy of the response letter along with a copy of the original request should be sent to the Admin. Support Supervisor, Public Records Unit and to the Department Legal Advisor. This is necessary for keeping a central log of Public Disclosure requests and responses (See Legal Request Log attachment for instructions on how to view the Department Master Disclosure log).
8. In situations where the Five Day letter involves requests for records from several Units, the Five Day letter will be coordinated by the Admin. Support Supervisor, Public Records Unit. The involved unit commanders should immediately contact the Public Records Unit Supervisor to coordinate preparation of the requested documents. Unit commanders should be prepared to communicate as to whether the requested records are available, how long it will take to provide the records, if redactions will be necessary, reasons for the redactions and the estimated number of pages.

³ The fee is .15 cents per page for combined pages of seven or more per Public Disclosure request.

⁴ Samples of each type of Five Day letter are attached to this Legal Bulletin

9. Each Unit should maintain a copy of all Public Disclosure requests and response letters sent.

Questions regarding Public Disclosure requests should be referred to Edie Burke, Admin. Support Supervisor, Public Records Unit, at (206) 733-9315. Any unit commander using this Public Disclosure protocol who has any special concerns, or legal questions regarding the contents of this Legal Bulletin, should contact Legal Advisor Leo Poort at (206) 233-5141.

Attachments: Five Day Letter samples
Legal Request Log

ATTACHMENT 1

**(NO FEE SAMPLE
LETTER)**

Providing records
at no charge

May 30, 2001

Mr. [REDACTED]
#900015 D-319
P.O. Box
Steilacoom, WA 98299

Re: Public Disclosure request dated 5/10/01

Dear Mr. [REDACTED]

In response to your public disclosure request dated May 10, 2001 and received by the Office of the Chief of Police on May 30, 2001, we have enclosed a copy of Section 1.169 from the Seattle Police Department Manual concerning Chemical Restraints (OC Spray).

If you need further assistance, please contact the Office of the Chief of Police at (206) 684-5577.

Sincerely,

R. Gil Kerlikowske
Chief of Police

Lieutenant [REDACTED]
Administrative Aide to the Chief

RGK:klw

Enclosures

ATTACHMENT 2

**(SAMPLE PICK-UP
LETTER WITH
FEES FOR PUBLIC
DISCLOSURE)**

Pick-up Letter with Fees/
Charge for PDR

May 23, 2001

Ms. [REDACTED]
Dexter Avenue North
Seattle, Washington 98109

Re: Public Disclosure request dated March 5, 2001

Dear Ms. [REDACTED]:

Your public disclosure request for a copy of records concerning 911 communications concerning Mardi Gras has been processed by this office and is available for pickup. To obtain the documents which have been prepared to respond to your request, please present a copy of this letter to the Records Unit, 4th floor of the Public Safety Building, 610 Third Avenue. The office hours are 8:00 AM to 5:00 PM.

The copying fee for your \$12.45 83 Pages at \$0.15 per page
request is

\$12.45 There is no charge if under \$1.00.

If you need further assistance, please contact the Office of the Chief of Police at (206) 684-5577.

Sincerely,

R. Gil Kerlikowske
Chief of Police

Assistant Chief: [REDACTED]
Operations Bureau

RGK:klw

ATTACHMENT 3

(STANDARD REDACTION CHECKLIST SAMPLE LETTER)

Redaction Checklist

10/19/99

~~Country Club Dr. NE~~
Tacoma, WA 98422

RE: Public Disclosure Request: 882770153 - SMC Cause # for 88-398375
883100151 - SMC Cause # for 88-72763
880910124 - SMC Cause # for 88-5229

Enclosed is a copy of the public record(s) you requested. We have released the portions of the record which are not exempt from disclosure by RCW 42.17.310 and/or other statutes. Information redacted is exempt from public disclosure for the following reason(s).

- ☐ 1 Complainant, victim or witness requested the information not be disclosed. (RCW 42.17.310(1)(e))
- ☒ 2 Disclosure of the information would endanger a person's life, physical safety, or property. (RCW 42.17.310(1)(e))
- ☐ 3 Record includes information non-disclosure of which is essential to effective law enforcement. (RCW 42.17.310(1)(d))
- ☒ 4. Record contains information the non-disclosure of which is necessary for the protection of a person's right to privacy. (RCW 42.17.310(1)(b) or (d) as defined by RCW 42.17.255)
- ☒ 5. Record contains information on a juvenile, which is confidential, and may not be released to the public except by court order under provisions of RCW 13.50.050 and RCW 13.50.100(4)(a) and (b)
- ☐ 6 Investigative file is currently active with the prosecutor's office and non-disclosure is essential to effective law enforcement. RCW 42.17.310(1)(d)
- ☒ 7. Information protected under the Criminal Records Privacy Act, RCW 10.97.